



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

301

Application Number

10/820,975

Filing Date

April 7, 2004

First Named Inventor

Santi, Daniel

Art Unit

1633

Examiner Name

Ileana Popa

Attorney Docket Number

020547-003700US

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Return Postcard |
| <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (2 pgs) | <input type="checkbox"/> CD, Number of CD(s) _____ | PTO/SB/08A and PTO/SB/08B forms (1 pgs) |
| | <input type="checkbox"/> Landscape Table on CD | Reference: 4-10 (297 pgs) |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Randolph Ted Apple

Date

3/29/06

Reg. No.

36,429

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3/29/06

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On:

March 27, 2004

TOWNSEND and TOWNSEND and CREW LLP.

By:

Anthony J. Marshall

PATENT
Attorney Docket No.: 020547-003700US
Client Reference No.: 010110.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Daniel SANTI et al.

Application No.: 10/820,975

Filed: April 7, 2004

For: SYNTHETIC GENES

Examiner: Ileana Popa

Art Unit: 1633

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references 4-10 are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

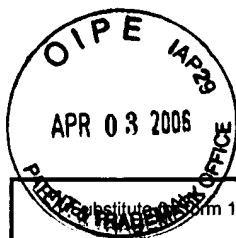
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Randolph Ted Apple
Reg. No. 36,429

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60735370 v1



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/820,975
				Filing Date	April 7, 2004
				First Named Inventor	Santi, Daniel
				Art Unit	1633
				Examiner Name	Ileana Popa
Sheet	1	of	1	Attorney Docket Number	020547-003700US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	US-5,824,513	10-20-1998	Katz, et al.	
	2	US-6,358,712 B1	03-19-2002	Jarrell, et al.	
	3	US-2004-0166567 A1	08-26-2004	Santi, et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	4	WO	93/13663	A1	07-22-1993	Katz, et al.		<input type="checkbox"/>
	5	WO	01/92991	A2	12-06-2001	Khosla, et al.		<input type="checkbox"/>
								<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS					T ²
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	6	Donadio, S., et al., Organization of the enzymatic domains in the multifunctional polyketide synthase involved in erythromycin formation in <i>Saccharopolypora erythraea</i> , Gene (1992), 111(1):51-60			<input type="checkbox"/>
	7	Mandecki, W., et al., <i>FokI</i> method of gene synthesis, Gene (1988), 68(1):101-7			<input type="checkbox"/>
	8	Mandecki, W., et al., A totally synthetic plasmid for general cloning, gene expression and mutagenesis in <i>Escherichia coli</i> , Gene (1990) 94(1):103-7.			<input type="checkbox"/>
	9	PCT Search Report for PCT/US03/03940 dated February 8, 2006.			<input type="checkbox"/>
	10	Wingfield, P., et al., The extracellular domain of immunodeficiency virus gp41 protein: Expression in <i>Escherichia coli</i> , purification, and crystallization, Protein Science (1997) 6:1653-60.			<input type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.